

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

Jeffrey William Crouchman,)	C/A NO. 9:12-2231-CMC-BM
)	
Plaintiff,)	
)	OPINION and ORDER
v.)	
)	
Pickens County LEC Jail, Capt. Keith)	
Galloway, Lt. Drew Sisco, Cpl. Tammy)	
Hamilton, Sgt. Kristie Leopard, Officer)	
Riley Hope, Sgt. Anthony Massingill,)	
Officer Matt Sewell, Dr. Mary Hammond,)	
and Howard Anderson,)	
)	
Defendants.)	
)	

This matter is before the court on Plaintiff's *pro se* complaint, filed in this court pursuant to 42 U.S.C. § 1983.

In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 (B)(2)(d), DSC, this matter was referred to United States Magistrate Judge Bristow Marchant for pre-trial proceedings and a Report and Recommendation ("Report"). On March 22, 2013, the Magistrate Judge issued a Report recommending that the motion for summary judgment filed on behalf of all Defendants except for Dr. Mary Hammond be granted. Defendant Hammond has not filed a dispositive motion and the time for doing so has expired. The Magistrate Judge advised Plaintiff of the procedures and requirements for filing objections to the Report and the serious consequences if he failed to do so. Plaintiff has filed no objections and the time for doing so has expired.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court.

See Mathews v. Weber, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of any portion of the Report of the Magistrate Judge to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b). The court reviews the Report only for clear error in the absence of an objection. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”) (citation omitted).

After reviewing the record of this matter, the applicable law, and the Report and Recommendation of the Magistrate Judge, the court agrees with the conclusion of the Report. Therefore, the Report is adopted by reference in this Order. The motion for summary judgment filed by Defendants Pickens County LEC Jail, Capt. Keith Galloway, Lt. Drew Sisco, Cpl. Tammy Hamilton, Sgt. Kristie Leopard, Officer Riley Hope, Sgt. Anthony Massingill, Offficer Matt Sewell, and Howard Anderson is **granted** and these Defendants are dismissed with prejudice.

The remaining Defendant, Dr. Mary Hammond, has failed to file a dispositive motion. Accordingly, it appears this matter should be set for trial. To facilitate certain pretrial matters and to determine when this matter should be tried, a pretrial conference is set before the Honorable Kevin F. McDonald, United States Magistrate Judge, for Tuesday, May 21, 2013, at 11:00 a.m., in Greenville, South Carolina.

IT IS SO ORDERED.

s/ Cameron McGowan Currie

CAMERON McGOWAN CURRIE

UNITED STATES DISTRICT JUDGE

Columbia, South Carolina

May 15, 2013